

Notice of Allowability	Application No.	Applicant(s)	
	10/022,981	MCLAIN ET AL.	
	Examiner	Art Unit	
	Melur Ramakrishnaiah	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6-9-2006.
2. ☒ The allowed claim(s) is/are 1-3 and 5-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>3-27-02/3-10-03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


MELUR RAMAKRISHNAIAH
PRIMARY EXAMINER

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark D Elchuk on 8-10-2006.

The application has been amended as follows:

Claim 1: under item c), line 1: replace "said operator" with – an operator --;

Claim 1: under item c), line 2: replace "said degree" with – a degree --;

2. The following is an examiner's statement of reasons for allowance: The present invention relates to mobile RF terminals required to conduct bi-directional communications with a base station via satellite link, and more particularly to a method and apparatus for identifying which one of a plurality of mobile terminals is causing interference with one or more satellites adjacent to target satellite.

The prior art of record in combination or alone fails these elements of independent claims 1, 6, and 11 in combination with other elements. For example independent claim 1 has claim limitations such as a) using a base station component to receive a message indicating that interference with the non-target satellite is occurring, b) using the base station component to command a first one of plurality of mobile terminals in communication with the base station component to modulate its transmit signal between one of a plurality data rates or power values assigned by the base

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station component, c) using the base station component to check with an operator of the non-target satellite to determine if a change in a degree of interference was detected by the operator, d) if a degree of change is detected by the operator, then determining that the first one of the mobile terminals is causing the interference.

Independent claim 6 has claim limitations such as a) using a base station to receive a message indicating that interference with the non-target satellite is occurring, b) using the base station to command a first one of plurality of mobile terminals in communication with the base station to modulate its transmit signal between data rates assigned by the base station, to thereby modify the power level of the modulated signal, c) checking with an operator of the non-target satellite terminal to determine if change in degree of interference, relative to the non-target satellite, was detected by the operator when the first one of the mobile terminals changed data rate, and d) if no change in the degree of interference is detected, then performing steps b) and c) repeatedly to test each of the mobile terminals until it is determined which one of the mobile terminals produces a change in interference detected by the operator of the non-target satellite.

Independent claim 11 has claim limitations such as a) using a ground station having a network operator center (NOC) to receive a message from an operator of the non-target satellite indicating that interference with the non-target satellite is occurring, b) using the NOC to command a first one of a plurality of mobile terminals to modulate its transmit signal between data rates assigned by NOC, c) using the NOC to check with the operator to determine if the interference condition has changed, d) if the interference condition has changed, then determining that the first one of the mobile terminals is

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causing the interference condition, e) if the interference has not changed, then repeating steps b) and c) for a subsequent one of the mobile terminals until that the mobile terminal is identified that causes a change in the interference condition. For the above reasons, independent claims 1, 6, 11 and dependent claims 2-3, 5, 7-9, 12-13 are allowable.

3. Claims 1-3, 5-13 are allowed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(5,842,125) to Modzelesky et al. discloses a mobile satellite system including a satellite communication switching office and network system having a satellite antenna for receiving and transmitting a satellite message via a satellite to and from a mobile earth station including a mobile communication system, a satellite interface system, a central controller receiving and transmitting the satellite message from the mobile earth station to and from the satellite communication switching office via the satellite and the satellite interface system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Melur Ramakrishnaiah
Primary Examiner
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